Extra: Smith Act Defense Counsel Named Attorney General of Pennsylvania, Page 4

I. F. Stone's Weekly

VOL. IV, NO. 47 DECEMBER 10, 1956 WASHINGTON, D. C. 15 CENTS

Some Clues to A Smoldering World Crisis

The UN: It succeeded in stopping the war in Egypt and obtaining the withdrawal of the invading armies only because the two great Powers were united and supported the UN with threats; the U.S. of economic sanctions, the U.S.S.R. of military action. There was also success because the aim was simple: the withdrawal of armed forces from another country. But now the situation is completely different. The issues which remain are complex: the reconciliation of international interest and Egyptian rights in the Suez; the making of a firm peace between Israel and the Arab States. These objectives are not susceptible of solution by a simple command. And in approaching them the two great Powers at once divide. The U.S., as the great Power which benefits by the status quo, wants stability and peace in the Middle East in order to exploit the oil and maintain its bomber bases. The U.S.S.R., the great Power which loses by this status quo, wants to disrupt it. For both U.S. and U.S.S.R., Israel is expendable if necessary in this game. Neither will support a UN peace plan at the expense of antagonizing the Arabs and neither will support a new Suez plan unsatisfactory to Nasser since he emerges the most powerful figure in the Arab world. In this context the UN will again prove impotent. The Middle Eastern crisis is not over; it is just beginning.

India and Hungary: India fears UN intervention in Hungary might be a precedent for UN intervention in Kashmir, where Nehru still opposes the plebiscite India promised the UN. The "elections" India plans in Kashmir next spring will bar parties favoring union with Pakistan or independence; UN observers will not be permitted. Kashmir, not pro-Sovietism, is the key to India's attitude toward Eastern Europe, her abstention with the Arab-Asian bloc on Hungary. The rest of the bloc doesn't care what Russia does in Hungary, i.e. its own colonial domain, as long as Russia supports Egypt. Here again, in the face of Soviet obduracy, the UN is powerless.

The U.S. and Eastern Europe: The inability of American firms to get export permits for cotton to Poland and the delay in discussing the credits President Eisenhower appeared to be offering in October is attributed here to divided counsels within the U.S. government on satellite policy. All factions welcome the weakening of ties between the Soviet Union and Poland but differences arise on just when, where and how to help along that "evolutionary process" to which Secretary Dulles referred in his press conference at Augusta, Georgia. Some officials believe it is to U.S. interest to strengthen Gomulka, others that it would be better to wait in the hope that rising distress and tension in Poland will add to Russian difficulties. A few would like to see other "Hungaries" in East Europe while others believe the result of such outbreaks would only be to restore a "hard" policy in the Kremlin. Cardinal Wyszynski's forthcoming visit to the Pope will bear watching in this connection; the Vatican would gain great leverage in Eastern Europe if it could act as middle man between Warsaw and Washington.

Twentieth Congress and Eighth Plenum: An anguished self-criticism quite unlike the vague "cult of personality" concept with which the Russians blamed it on Stalin at the 20th Congress is evident in the text now available of the Polish Communist Party's eighth plenum in October. A sample is the speech of Leon Wudzki, of the party control commission. "Theory is one thing but practice has been another," he told the plenum. "In practice we had such phenomena as unwillingness to work, shirking of duties, fanaticism, opportunism, chauvinism, anti-semitism, and falsehood. The masses dared not criticize us; their mouths were locked and they turned away from us. . . . We said one thing and did another. We liked power. . . . Instead of teaching people to think, we taught them to repeat slogans." No one in Moscow—or Belgrade—has yet dared talk in such terms, or operate on the principles they imply. This is why Poland offers hope of real change in Eastern Europe.

South Africa: The State Department was appalled by last week's mass roundup in South Africa. It is believed these arrests, including a white member of parliament who represents Negroes, will make immeasurably more difficult the healing of relations between the white West and the colored colonial world. South Africa is thought to have timed the raids deliberately to take advantage of the fact that the UN is too busy with Hungary and Egypt to focus full attention on South Africa. The use of the Suppression of Communism Act to strike at various kinds of Left organizations, religious leaders and political figures friendly to the Negroes, Asians and colored is a more advanced variety of the technique Eastland exploits with the Senate Internal Security Committee here. The Subversive Activities Control Board has a similar potential.

Clinton, Tenn.: The South is still solid against integration. If it cannot be achieved in border State, Tennessee, it will be set back a generation. The beating of a Baptist minister who escorted six Negroes to school shocked better elements. The overwhelming defeat of the White Citizens Council candidates in the Clinton elections showed there is a majority for law and order. There can hardly be a better opportunity for a showdown and the Attorney General for once deserves credit. The swift arrest for contempt of the White Citizens Council chairman and 15 others is the kind of resolute action long called for; the South is full of grown up retarded adult "juvenile delinquents" impervious to moral pressure; the sooner some of them are put in jail, the better the chance of avoiding trouble elsewhere. Without force against the lawless minority there will be no peace in the South.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

AFL-CIO Editors Hold Their First Convention Since The Merger

More "House Organ" Conformity Than Crusader Spirit in Labor Press

By A Dubious Delegate

The American labor movement spends $20,000,000 annually to support about 1,000 national and regional publications. Last Friday, side by side with the Retired Officers Association and the American Rheumatism Association, the International Labor Press Association, AFL-CIO's editorial arm, opened its first convention since last year's big merger.

Under the gilt balconies and elaborate chandeliers of Washington's Mayflower Hotel the delegates attended clinics on journalistic technique. They attended a George Meany press conference. They heard assorted speakers, drank cocktails and held a 10-dollar-a-plate banquet. They took a guided tour of what one delegate referred to as "that marble mausoleum," the AFL-CIO building.

But during the entire round of activities, except for a brief period, there was no serious attempt to discuss the content of labor journalism, its ideological line and function. The sole refreshing exception to this rule, during which delegates heard a sharp attack on conformity in the mass media, was provided by a non-labor guest, a representative in fact, of the "capitalist" press.

Applauded But Not Emulated

It was 74-year-old William Evjue, publisher of the Madison, Wisconsin, *Capital Times*, who, in an after dinner speech, described how hoodlums recently tore from the wall of the University of Wisconsin a plaque commemorating academic freedom. Evjue spoke of crusading journalism and the one-party press. He evoked applause.

But private conversation with many of the labor editors present indicates that crusading spirit is not negotiable in today's labor press. Conformity, many admit, is perhaps more deeply entrenched in union newspapers and magazines than in the commercial press itself.

It is true, of course, that labor editors can swing freely at the economic evils of big business. But, for many, attacks on racism are out of bounds. Mention of racketeering in unions is delicate to touch. Criticism of labor's reigning hierarchy cannot even be whispered. Labor editors know their employers, and, like house organ editors everywhere, they go one step beyond the safe side of discretion. They flatter.

Thus the *AFL-CIO News*, the most official of the official labor press, abounds in praise of Mr. Meany, nourishing, a cynic might add, the cult of the personality. (Though to UWA members, Reuther is always Walter; Meany always seems to be "Mister.")

Even A Few Shop Workers

The delegates formed a mixed group. Among them were a handful of honest-to-goodness shop workers. One, a big punch press operator who has managed to survive 31 years in GM's Cleveland Fisher Body plant, was heard to remark: "I told the *AFL-CIO News* our people don't want to see so many pictures of dignitaries at a banquet. How about pictures of workingmen?"

But for the most part, the editors were of a smoother cut, professionals and "technicians," as one of them likes to put it. It is not for the technician to suggest or qualify policy, but only to execute it. The labor press, according to Gordon Cole, ILPA's outgoing president, must serve as a line of communication from leadership downward—with no feedback.

Consequently, the labor press today, with only a handful of exceptions, consists of dull papers, poorly read. This idea was advanced gently by another guest. He was Lloyd Whitbrook, a public relations man who pointed out that labor press readership averages under one person per copy of the 20 to 30,000,000 published each month. This, he noted, contrasts sharply with the 3.2 readers per copy in the commercial press.

That Regal Extra Inch and A Half

"It has been observed by newspapermen that all the chairs around the conference table are exactly alike. The only way you can tell which is Mr. Meany's is that the back of his chair is one and one-half inches higher than the others."

—Saul Miller, managing editor, AFL-CIO News, while conducting a labor press tour of the AFL-CIO Building.

How effective the labor press is has never been scientifically determined. But there are solid indications that thousands of unionists to whom the papers are sent as an automatic part of membership do not read them at all.

The Democratic Party's former labor advisor, Thomas Byrne, once a union functionary himself, has estimated that only 10 to 15 per cent of union members bother to read their organization's periodical.

How to overcome this was, indeed, one of the subjects of the meeting. But the advice doled out by ILPA leaders and experts like Whitbrook concerned itself almost totally with format rather than content. No one suggested the injection of controversy as a possible solution.

The question of internal conformity among labor's communications specialists was touched upon only once. Both Edward P. Morgan and John W. Vandercook, AFL-CIO's two radio commentators, made a point of telling the delegates during a brief appearance that their sponsor does not censor them. This has been a tender area since the AFL curtly dismissed Morgan's predecessor, Frank Edwards. Edwards left charging crass censorship by the Meany high command; he claims they put a "political commissar" at his elbow.

"I have had my differences of opinion with the AFL-CIO," Vandercook said. "But nobody has told me what to say." The remark evoked skepticism. Vandercook's contract is up for renewal soon.

The Slick and Soporific Preferred

The editor of the slick but soporific *Electrical Workers Journal* won an armload of prizes for journalistic excellence. Brownie Cuthbert, editor of the *Chattanooga Labor World* and one of the few women in the field, was triumphant, too. Brownie had just bought a Thunderbird.

There were old socialists turned practical and ex-newspapermen who were always practical. There were honest, overworked editors who take pride in their product. And there were editors who turn over the complete job of writing, production and distribution to a Washington assembly-line publishing house which handles over 30 union periodicals, thus relieving editors of the need to edit.

There were crew cut young men and old timers who spoke with a trace of an accent, there were tweed jackets and shiny blue serge. Among Washington editors, one might even have found a sprinkling of colorful vests in the fashion affected by Mr. Meany himself.

For the "country editors" who had not had the privilege before, there were conducted tours of the AFL-CIO building. There Saul Miller, managing editor of the *AFL-CIO News*, showed them the huge mosaic mural in the front hall as piped strains of "Oklahoma" filled the air. In the anteroom to the executive council conference room, a life-size portrait of George Meany, weskit and all, hung in glowing oil.

The inlaid floors, the carefully matched draperies, the wood panelled auditorium—all this, according to a brochure handed the editorial visitors, reflects "the philosophy of free trade unionism." But the decor is no longer early working stiff.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Real Question in the UAW Campaign Expenditures Case Before the Supreme Court

Wouldn't Labor Be Stronger Politically on Voluntary Contributions?

It would be difficult to match the United Automobile Workers case argued before the U. S. Supreme Court here last week for semantic nonsense and legalistic hypocrisy. This is its background. In 1907 Congress passed a Corrupt Practices Act which forbade any corporation to make a "contribution" in any presidential or Congressional election. No statute has been more easily and generally evaded; the same results are achieved by obtaining contributions from the officers and dominant families of the great corporations instead of directly from the corporate till. In 1947 the Taft-Hartley Act added two phrases to the Corrupt Practices Act: "or any labor organization" and "or expenditure." These changes were intended to cripple labor politically and hamstring the kind of coalition between the trade unions and the Democratic party by which union treasuries helped finance the election campaigns of Roosevelt and Truman.

Money, however, is not the only potent force in our society. The courts, which had so often frustrated and nullified social reform, in this case cheated Senator Taft of his victory and opened to labor its own avenues for evading the Act. The arrival of trade unionism as a political force of major dimensions was reflected in June 1948 by the Supreme Court's decision in *U.S. v. CIO and Philip Murray (335 U.S. 106)*. The CIO out of its general funds had made an "expenditure" for the publication in its *CIO News* of a front page statement by Murray urging the election of a certain Congressional candidate in Maryland; extra copies were run off and distributed to the public.

Five to Four, But All on Labor's Side

The CIO and Murray were indicted but the indictment was dismissed. The Supreme Court split 5-4 in upholding the dismissal, but was unanimously on labor's side in the controversy. The difference was that a minority of Rutledge, Black, Douglas and Murphy wanted to uphold the dismissal on the ground that the statute as applied violated the First Amendment while the majority speaking through Mr. Justice Reed with Mr. Justice Frankfurter concurring, preferred to rule that it was "unwilling to say" that Congress had intended by the word "expenditure" to outlaw "such a publication." This was a striking example of the way the judicial crystal ball tends to becloud the question of Congressional intent to suit the judges peering into it. There is little doubt that Senator Taft and his supporters had so intended.

In fact when the next case came up, that of *U.S. v. Painters Local (172 F. 2d 854)* in the Second Circuit in 1949, the Court ruled for labor despite a specific statement by Senator Taft on this precise question when the Act was being debated in Congress. The painters case involved expenditures by a union in an election to buy newspaper space and radio time. Glen Taylor, then a Senator from Idaho, asked Taft whether he would outlaw radio programs sponsored by labor unions in elections. Taft replied that it would be illegal for General Motors to have a man speaking on the radio to endorse a specific candidate and it should be illegal for labor. The Circuit Court nevertheless upheld the dismissal of the painters' indictment on the ground that such an "expenditure" was "impossible, on principle, to differentiate" from that in the CIO case. Two years later in a third case, where a union had used its general funds to support its business agent in his candidacy for Congress, a Federal Court again held *(101 F. Supp. 869)* that in the light of the two earlier cases it was "difficult to believe" that Congress had "intended" to bar such expenditures. The will to disbelieve had waxed with the political power of labor.

So when the UAW was indicted for buying television time out of general funds in the 1954 Congressional election in Michigan, it was easy for Federal Judge Picard last February to dismiss this indictment on the basis of the earlier cases. He said he could not distinguish between the radio time in the painters' case and the TV time in the auto workers'; if it was legal to buy one, it was legal to buy the other. The Justice Department appealed directly to the Supreme Court, no doubt in the hope of a decision before the election and in any event to worry labor a bit about its campaign expenditures for Adlai Stevenson and the Democrats. But whether by foresight or accident the Court did not hear the appeal until last week.

Meaning Hiroshima?

"Atomic war has not been stalemated to the degree that we can afford to tailor our military forces primarily to the requirements of limited or little wars. Any thought that under present conditions nations will rule out a nuclear conflict on moral grounds ignores the lessons of history, some of which are recent history."

—Secretary of the Air Force Quarles, Nov. 28.

The Financial Odds Against Labor

"Congress has tremendously increased the political strength of those opposed to labor by selecting only labor unions for restrictive legislation, while associations of management and employers . . . are left completely unfettered. Yet . . . 20,000,000 organized workers and their families, representing a major segment of the total population, have contributed less than 10 percent of all campaign funds. . . . Employer and employer minded groups are the major source of funds for federal campaigning expenditures. Assets of wealthy families often support anti-labor candidates. . . . Furthermore, employer minded groups have influence often merging on control of the media of mass communication. . . . Employer, business and management groups enjoy tremendous political advantages by the use of almost unlimited corporate funds expended as part of the cost of doing business."

—Brief for the UAW in the Supreme Court.

Ample Devices for Evasion

The law, as it stands, provides both capital and labor with devices for evasion. The real issues are political. The UAW brought forward statistical studies to show how much greater and more pervasive is the power of capital in influencing public opinion. "If this indictment is valid," Joseph L. Rauh, Jr., counsel for the UAW argued, "then Hearst, Howard and Sarnoff decide what gets heard." Rauh insisted that the union was merely "expressing its views" under the First Amendment by buying TV time. When he admitted to Mr. Justice Frankfurter that what John L. Lewis and the miners "are reputed to have done" in the 1936 campaign would be illegal under the Taft-Hartley Act, the Justice asked, "Why wasn't that 'expression of views', too?"

Perhaps the real issue is a subtler one, which labor must face sooner or later. The law only restricts expenditures from general union funds. Labor can spend all it pleases if the money is raised by voluntary contributions from members. Wouldn't labor be a greater force, wouldn't trade unionism draw new strength from its roots, if it depended on education and voluntary contributions from its members? It's easier to check off the dues and use them as one pleases. But not a few workers who "contribute" in this way vote the other way in the privacy of the ballot box. Labor leadership will win a big battle for the mind of the public when it wins the mind of its own rank and file. Compulsory contributions, like compulsory unionism, make for weak political foundations.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Now It Can Be Told: Why Chairman Walter Failed in His Attempt to Smear Thomas D. McBride

Smith Act Defense Counsel Becomes Attorney General of Pennsylvania

Though unnoticed by the press outside the State, the appointment of Thomas D. McBride as Attorney General of Pennsylvania is another index of a changing climate of opinion. McBride was chief defense counsel in the Philadelphia Smith Act trials. Governor George M. Leader in announcing the appointment praised McBride as "a great humanitarian and a great liberal." McBride was chosen on the recommendation of the outgoing Attorney General, Herbert B. Cohen, elected to the State Supreme Court in November. The choice reflects the outlook of the Governor, one of the promising young liberals in the Democratic party.

McBride has long been outstanding as a criminal lawyer. He is Chancellor of the Philadelphia Bar Association and a director in the local branch of the American Civil Liberties Union. He was Gale Sondergaard's counsel before the House committee last summer. He has recently been in a public controversy with a fellow ACLU director, Victor Blanc, now District Attorney of Philadelphia, over wire-tapping to which McBride is strongly opposed. Tapped wires are playing a part in a Philadelphia vice cleanup; their use has recently been upheld by the State Supreme Court. In court, wit and learning have been McBride's weapons rather than the flamboyant tactics usually associated with criminal lawyers.

An Informer Misinforms

The appointment recalls the attempt to smear McBride made by Chairman Walter of the House Un-American Activities Committee on August 2 of last year. Herman E. Thomas, of Allentown, Pa., was on the stand. Thomas, a Communist from 1937 to 1939, went back into the party in 1944 on urging of the FBI to serve as an undercover informant. He appeared as a prosecution witness in the Philadelphia Smith Act trial.

Thomas testified before Walter that he heard a Communist say "McBride's, the attorney's, fees would be $60,000." "The fact of the matter is," Walter commented, "that the court appointed counsel on the representation that these people had no money. . . . So that the application for counsel because they could not retain anyone, not having any money, was a fraud practiced upon the court?" Thomas replied, "That is correct."

But that was not correct. Walter must have been a surprised man when he picked up the Philadelphia papers next morning and failed to see a single line linking McBride with fraud. The story of what happened can now be told. The Philadelphia papers checked with Bernard D. Segal, who was Chancellor of the local Bar when it arranged for the defense of the Philadelphia Smith Act victims. Segal made the files available and after examining these, Philadelphia editors decided the charge was so untrue and unfair that it would be wrong to print it. The press for once declined to privilege Congressional slander.

The facts were that the Philadelphia accused found themselves unable to get counsel because of the general political atmosphere and because of the contempt sentences and disbarment proceedings against the defense lawyers in the Foley Square trials. In at least one case, a retainer had been paid and a total of $60,000 promised to a Philadelphia law firm only to have them return the advance payment next morning. The bar association decided that it would make the right of counsel effective. Defense counsel were obtained by the Association and appointed by the court so that they could, if criticized, say that they were defending Communists on the request of the bar and the judiciary. McBride, however, in becoming chief defense counsel, rejected this "protective cloak" and served directly at the request of the accused.

A fund of $60,000 was raised for counsel fees. When the trial was over, the sum which remained after the heavy expenses was divided among defense counsel. But McBride asked Segal as Chancellor and C. B. Rhodes as Vice Chancellor of the Bar Association at the time the defense was arranged to decide how the remaining funds were to be divided. McBride, always generous, probably spent as much or more than he obtained as his share.

The nine Philadelphia defendants were convicted. Their appeal will soon be heard in the Third Circuit. McBride has not yet decided whether he will argue them.

Another "Philadelphia Story" in Washington last week was the imposition of a $1,000 fine and a suspended jail sentence on the Philadelphia school teacher, Goldie Watson, for contempt of the Un-American Activities Committee. She invoked the First Amendment and will appeal.

Apology and Correction

A respected reader complains quite justly that in last week's issue we should have given the American Civil Liberties Union credit, too, for the victory in the Braden case and noted that the New York Civil Liberties Union had come to the support of two of the *New York Times* men indicted for contempt.

Early Renewals Appreciated—Why Not Send Yours In Today?

Don't Forget Our Get Together on Dec. 14

At Community Church, 40 E. 35th Street, New York City, at 8 p.m. sharp that night the Weekly is holding a get together with readers to celebrate the anniversary of the Bill of Rights by a panel discussion of its meaning in the light of East European events since the death of Stalin. How can socialism be combined with intellectual freedom and fundamental guaranties? This is the question a panel of independent Left and Socialist editors—and the audience—will discuss. A. J. Muste of Liberation, Daniel Roberts of the Militant, Bert Cochran of the American Socialist and Hal Draper of Labor Action will be among those taking part. IFS will be the immoderate moderator. Come and join in what promises to be an ideological free-for-all. No holds barred (but spare the chairs). Admission is $1 (50 cents for students and anyone who cannot afford more).

I. F. Stone's Weekly
Room 205
301 E. Capitol St., S. E.
Washington 3, D. C.

NEWSPAPER

Entered as Second Class Mail Matter Washington, D. C. Post Office

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED